

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	NO. 07-582-01
GERALD BIRNIE	:	

**ORDER**

AND NOW, this 16th day of June, 2015, upon consideration of defendant's pro se Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 and plaintiff's Memorandum in Opposition, and for the reasons set forth in the accompanying memorandum of today's date, it is **ORDERED** that:

1. Defendant's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. § 2255 (paper no. 101) is **DENIED**.

2. A certificate of appealability shall not be issued because defendant was not denied effective counsel or any other constitutional right.

/s/ Norma L. Shapiro

J.